IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.796 of 1985

Tata Exports Ltd .. Plaintiff

versus

M/s Nippon Graphic ... Defendant

Mr.Atul Thakkar i.b Mulla & Mulla for Plaintiff

None for Defendant

CORAM : D.G. KARNIK, J

DATED : 11th August, 2005.

P.C.

1. Heard learned counsel for the plaintiff. The defendant is not present. The defendant has also not filed the written statement.

2. Learned counsel for the plaintiff states thatf though copy of the written statement was served in advance on the plaintiff the written statement has not been filed. Record of the suit also does not contain the written statement filed by the

defendants.

3. The defendant has not filed the written statement for a period of nearly 20 years. The suit is only for recovery of money. Hence, suit of the plaintiff is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of prayer clauses (a) and (b) with the modification that interest on the principal sum would be payable at 9 % p.a. from the date of the suit till payment.

D.G.KARNIK, J